

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF KINGS

**FILED**

JUN 24 2021

3 **GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY**

JUDICIAL COUNCIL OF CALIFORNIA  
COUNTY OF KINGS  
*David S. ...* DEPUTY

4 **RELIEF AUTHORIZED BY THE CHAIR OF THE JUDICIAL COUNCIL**

5 **EMERGENCY ORDER OF JUNE 24, 2021**

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7  
8 **WHEREAS** the World Health Organization, The United States Centers for Disease  
9 Control and Prevention and the State of California Department of Public Health have  
10 recognized that the world, country, and state face a life-threatening pandemic  
11 caused by the COVID-19 virus.  
12

13  
14 **WHEREAS** as of June 24, 2021, the World Health Organization has reported  
15 179,241,734 confirmed cases of COVID-19 worldwide with 3,889,723 deaths caused  
16 by the virus.  
17

18  
19 **WHEREAS** as of June 24, 2021, the Center for Disease Control has reported  
20 33,409,895 confirmed cases of COVID-19 in 50 states and 4 territories of the United  
21 States of America, 600,442 of which have resulted in deaths.  
22

23 **WHEREAS** as of June 24, 2021, the California Department of Public Health has  
24 reported 3,706,846 confirmed cases of the COVID-19 virus in the state of California  
25 causing 62,822 deaths.  
26  
27  
28

1 **WHEREAS** as of June 24, 2021, the Kings County Department of Public Health has  
2 reported 16,004 confirmed cases of the COVID-19 virus in the community with an  
3 additional 7,210 cases in the State Prisons located in Kings County for a total of  
4 23,214 positive COVID-19 cases in Kings County causing 247 deaths.

5  
6 **WHEREAS** the World Health organization, the Center for Disease Control, California  
7 Department of Public Health, and the Kings County Department of Public Health  
8 have all recommended social distancing practices of staying at least six feet apart  
9 and the prohibition of gathering in groups as the best method to prevent the  
10 contraction and spread of the COVID-19 virus.  
11

12  
13 **WHEREAS** on March 4, 2020, California Governor Gavin Newsom declared a state  
14 of emergency in California because of the COVID-19 virus.  
15

16  
17 **WHEREAS** on March 13, 2020, the President of the United States declared a  
18 national emergency because of the COVID-19 virus.  
19

20 **WHEREAS** on March 19, 2020, Governor Newsom issued Executive Order N-33-20,  
21 requiring all residents of the State of California to stay home and shelter in place.  
22

23  
24 **WHEREAS** on March 23, 2020, the Chief Justice of the California Supreme Court  
25 and Chair of the Judicial Council, the Honorable Tani G. Cantil-Sakauye, issued a  
26 state-wide order recognizing the Courts in the State of California are ill –equipped to  
27 effectively allow social distancing and other recommendations by public health  
28

1 experts required to protect people involved in court proceedings and to prevent the  
2 spread of the COVID-19 virus.

3  
4 **WHEREAS** on March 23, 2020, the Chief Justice of the California Supreme Court  
5 and Chair of the Judicial Council, the Honorable Tani G. Cantil-Sakauye, issued a  
6 statewide order suspending all jury trials for 60 days from the date of her order and  
7 the time period for bringing a case to jury trial for 60 days from the date her order.  
8

9  
10 **WHEREAS** on March 27, 2020, Governor Newsom issued executive order N-38-20  
11 suspending all legal authorities that impede the use of technology in court  
12 proceedings and authorized the Chair of the Judicial Council to extend deadlines for  
13 certain court proceedings until 90 days after the state of emergency related to  
14 COVID-19 is lifted.  
15

16  
17 **WHEREAS** in order to protect the health and safety of the public, court employees,  
18 attorney's, litigants, judicial officers, law enforcement officers and the staff and  
19 inmates in detention facilities, on March 30, 2020 the Chief Justice of the California  
20 Supreme Court and Chair of the Judicial Council, the Honorable Tani G. Cantil-  
21 Sakauye, issued a state wide emergency order authorizing trial courts to make  
22 orders extending deadlines for certain court proceedings and for the use of  
23 technology to conduct legal proceedings.  
24

25  
26 **WHEREAS** On March 18, April 14, June 15, July 14, August 17, September 16,  
27 October 21, November 19<sup>th</sup>, December 17, 2020, January 21, 2021, February 18,  
28 2021, March 22, 2021, April 22, 2021, May 25, 2021, and June 24, 2021, The

1 Honorable Tani G. Cantil-Sakauye, Chief Justice of the California Supreme Court  
2 and Chair of the Judicial Council determined that the conditions described in  
3 Government Code section 68115(a) continue to exist in Kings County and therefore  
4 she authorized this Court to issue an implementation order extending the deadline  
5 for jury trials.  
6

7 **WHEREAS** after balancing the Constitutional due process rights of parties in  
8 criminal and civil cases with the health and safety of these parties, the public, court  
9 staff, judicial officers, attorneys, witnesses, jurors, law enforcement officers, deputy  
10 Sheriffs, probation officers and other persons present during court proceedings;  
11

12  
13 **IT IS HEREBY ORDERED THAT:**

- 14
- 15 1. The time period provided in Penal Code section 1382 for the holding of a  
16 criminal trial is extended by no more than 30 days from the last date on  
17 which the statutory deadline otherwise would have expired. This order is  
18 applicable only to cases in which the original or previously extended  
19 statutory deadline otherwise would expire from June 29, 2021, to July 29,  
20 2021, inclusive (Gov. Code section 68115(a)(10); Executive Order N-38-  
21 20 (03-27-2020).
  - 22 2. The time periods provided in sections 583.310 and 583.320 of the Code of  
23 Civil Procedure to bring an action to trial are extended by not more than  
24 30 days, applicable only to cases in which the deadline otherwise would  
25 expire from June 29, 2021, to July 29, 2021, inclusive (Government Code  
26 section 68115(a)(6)
  - 27 3. These extensions are in addition to any relief provided pursuant to any  
28 specific emergency order issued under a subdivision of Government Code  
section 68115 related to any other extension or form of relief.

- 1           4. The Kings County Superior Court is to make use of available technology,  
2           when possible, to conduct judicial proceedings and court operations  
3           remotely.  
4           5. Any statute, local rule or California Rule of Court which would prevent the  
5           court from using technology to conduct judicial proceedings and court  
6           operations remotely are suspended.

7           Dated: June 24, 2021



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9           Michael J. Reinhart, Assistant Presiding Judge  
10          Kings County Superior Court

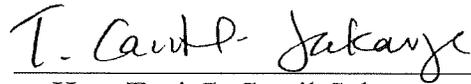
## THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Because of the COVID-19 pandemic, leading to health and safety concerns resulting in substantial operational impediments, and the proclamations of states of emergency by federal, state, and local officials, it was determined on fourteen prior occasions that the conditions described in Government Code section 68115 were met with regard to the Superior Court of California, County of Kings (Court). Based on those determinations, and pursuant to the Court's requests, corresponding emergency orders issued authorizing the Court to implement certain relief under Government Code section 68115. Upon the renewed request of Assistant Presiding Judge Michael J. Reinhart, it now is determined that the conditions described in Government Code section 68115(a) continue to exist (Gov. Code, § 68115(c)), and it is ordered that the Court is authorized to do the following:

- Extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than 30 days, applicable only to cases in which the deadline otherwise would expire from June 29, 2021, to July 29, 2021, inclusive (Gov. Code, § 68115(a)(6)); and
- Extend the time period provided in section 1382 of the Penal Code (section 1382) for the holding of a criminal trial by not more than 30 days, applicable only to cases in which the original or previously

extended statutory deadline otherwise would expire from June 29, 2021, to July 29, 2021, inclusive (Gov. Code, § 68115(a)(10)).\*

Date: June 24, 2021



Hon. Tani G. Cantil-Sakauye  
Chief Justice of California and  
Chair of the Judicial Council

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\* This authority supplements the authority to extend section 1382 deadlines granted to the Court in prior emergency orders. Accordingly, for any case in which the time to bring a defendant to trial previously was extended under one or more prior emergency order, and the extended deadline falls within the above-specified time period, this order authorizes the Court to extend the previously extended deadline by up to an additional 30 days. For any case in which the initial section 1382 deadline falls within the above-specified time period and is not governed by a prior emergency order, this order authorizes the Court to extend the time to bring a defendant to trial by a total of up to 30 days.